

Dear Commissioners:

Don't prevent states from fixing my cell phone problems. I am writing to oppose CG Docket No. 04-208 and WT Docket No. 05-194, which will unjustly take away the authority of states to tackle problems with cell phone service, including abusive cancellation penalties. Worse, the proposal will put in place a weak set of cell phone company-endorsed rules that offer no improvements in service or enforcement.

It's time to adopt policies that force cell phone companies to improve the level of service they provide to consumers. I did homework on the various cell companies before buying my phone last year. I being a responsible and educated consumer. However, after purchasing the phone and getting home, I realized that I had been charged only \$79 for the phone on a special discount, but the sales tax charged was for the FULL AMOUNT of the phone, not the discount price. The state, apparently, allows this. Worse, the sales rep. never disclosed that there was a \$15 activation fee for the phone, and that my minutes were only 400, not 450 a month, like the ad stated they would be (the 50 extra minutes were only available with a certain phone). The sales rep. was too anxious to make a sale, and knew that if I knew exactly how much it cost to get a cell, I never would have bought into one. I had never heard of such disreputable selling. Unfortunately, I was a victim of the legal finessing that cell companies have a reputation for engaging in. I am now trapped in a 2 year contract. Worse, I'm also receiveing unsolicited telemarketing calls. I never gave out my cell number out to anyone except my family. This leads me to believe that it must be my cell company who sold my information to these telemarketers. The whole experience with the sale was clearly duplicitous, and has left a bad taste in my mouth for the cell industry as a whole. Cell companies should be forced to disclose everything up front, in laymen's jargon. I want a law that will force that to happen.

Although CG Docket No. 04-208 purports to address consumer frustration with confusing cell phone bills, hidden fees and misleading advertising, the proposal does little for consumers. In the name of helping us, the agency is proposing to block states from passing their own pro-consumer laws. As bad, WT Docket No. 05-194 would bar state courts from enforcing state law when it comes to unfair and abusive cell phone contracts. That's going too far.

States are responding to consumer complaints. Don't stop them! And don't give in to adopting weak, industry-drafted rules in their place. The FCC should stand up to the cell phone industry, and respect states rights and strong consumer protections.

Sincerely,
J.L. Mondazzi

